

1 BY MR. PEDIGO:

2 Q But you saw exactly what he was going to do about
3 it. You knew it was going to be filed, didn't you?

4 A They told him to send it in. I didn't know if he
5 was going to send it in or not. I mean, I don't see how
6 that proves he sent it in.

7 Q So it's your testimony today that when you got
8 this fax that said "Opposition" written by the very lawyers
9 that Ron had referred to that were going to handle this you
10 didn't know what was going to happen with this document?

11 MR. MCVEIGH: Objection; no foundation that Ron
12 had referred to the lawyers who drafted this document.

13 JUDGE STEINBERG: Overruled.

14 THE WITNESS: Say it again.

15 BY MR. PEDIGO:

16 Q Isn't it true you knew this opposition was going
17 to be filed with the FCC as part of Ron handling this
18 through his lawyers?

19 A I suppose that I thought that.

20 JUDGE STEINBERG: Is it fair to say that from the
21 time you reviewed the Net Wave petition, beginning from the
22 time you reviewed the Net Wave petition and thought that
23 something had been done which might have been deceptive,
24 that you were sort of in a state of panic about this stuff?

25 By "this stuff," I mean the allegations.

1 THE WITNESS: I would say that's a fair
2 assessment.

3 JUDGE STEINBERG: I mean, and when I used the word
4 "panic," do you agree with that, disagree with it, or would
5 you choose another word because I don't want to make up a
6 word that you don't agree with to reflect what was going on
7 in your mind? Or if you want to express it differently or
8 more fully, please do so.

9 THE WITNESS: Well, you know, panic is a fairly
10 good word. I don't think it panicked my whole life, but
11 certainly about this it was panic. I didn't understand. I
12 simply didn't understand what had happened. I didn't
13 understand, first, that I had -- that me or my family had
14 any radio license.

15 I didn't understand the Net Wave petition except
16 if you read the Net Wave petition it makes it sounds like
17 the Sumpters are nothing but a bunch of crooks. That
18 disturbed me.

19 And then the opposition, I didn't know, maybe it
20 was just a thing you did. You sent that into the FCC and
21 that was the end if it. I didn't assume they were speaking
22 for me when they sent it in. That's the honest to gosh
23 truth.

24 JUDGE STEINBERG: Is it fair to say -- I lost my
25 train of thought. Is it fair to say that when you were

1 reviewing documents -- well, this specific document
2 beginning on page 14 of Exhibit 37 -- when you were looking
3 at it, that -- I just lost my train of thought. I'm sorry.

4 THE WITNESS: Okay.

5 BY MR. PEDIGO:

6 Q So Mr. Sumpter, would it be fair to say that the
7 fact that this opposition was filed with the FCC doesn't
8 surprise you, does it?

9 A No, sir. It's addressed to them, isn't it?

10 Q The fact that it was filed on substantially this
11 form, if not this exact form, doesn't surprise you because
12 that was contemplated that action would take place; isn't
13 that true?

14 A Yes, sir.

15 Q So you knew what the FCC was going to be told was
16 contained in the contents of these four pages of the
17 opposition?

18 A I guess so.

19 Q And isn't it true that nowhere in this opposition
20 is the FCC being told that there was not consent, in fact,
21 involvement by you and your family in the submitting of the
22 applications?

23 A But I didn't say that.

24 Q You knew this was being filed with the FCC and it
25 had your name on it.

1 A I knew that petition had been filed with the FCC
2 too, and it was false.

3 Q And you thought this cleared the record up, didn't
4 you?

5 A No, sir. I hoped it would go away.

6 Q You didn't think this was -- you didn't check this
7 for accuracy?

8 A No, sir, I didn't check it for accuracy. I didn't
9 know anything about this thing.

10 Q Would you agree this doesn't say anything about
11 your name being used against your wishes?

12 A I don't guess.

13 Q So on this document that's -- this is the first
14 document I believe you said -- well, let me take it back.

15 Were you aware that this document was going to be
16 made public record prior to creation of your letter, which
17 is Exhibit 39; is that correct?

18 A I don't know about public record.

19 Q Filed with the FCC.

20 A Is that making it a public record?

21 Q Let's just say filed with the FCC.

22 A Are you saying that -- I didn't understand your
23 question. I'm sorry.

24 Q Okay. You were aware that the -- the first
25 response on your behalf, you and your family's behalf, that

1 was contained in this opposition document. You understand
2 that?

3 A But you're saying that that's our response to
4 this.

5 Q A response on your behalf that was going to be
6 filed with the FCC. You understand that, don't you?

7 A I do not.

8 Q You still don't?

9 A I still don't that it was in response --

10 Q Okay.

11 A I mean, they put this heading on here, is like the
12 heading that was on the other. It didn't represent what I
13 said.

14 Q Okay.

15 JUDGE STEINBERG: I think that's --

16 MR. PEDIGO: All right.

17 JUDGE STEINBERG: -- pretty clear.

18 MR. PEDIGO: All right.

19 BY MR. PEDIGO:

20 Q And then several days later we have Exhibit 39.
21 Would you take a look at that, please?

22 A Thirty-nine?

23 Q Yes.

24 JUDGE STEINBERG: Yes.

25 BY MR. PEDIGO:

1 Q Do you see that?

2 A Yes, sir.

3 Q Now, this is a document where you are taking the
4 position that you didn't know your name was being used; is
5 that correct?

6 A I didn't know my name --

7 Q Do you understand my question?

8 This document, you take the position that your
9 name had not been used; is that correct?

10 MR. MCVEIGH: Vague. Used with respect to what?

11 MR. PEDIGO: The FCC applications, Your Honor.

12 THE WITNESS: I said I did not know my name had
13 been used. I was -- I was saying that you did not know you
14 had used my name to obtain a license in my name.

15 BY MR. PEDIGO:

16 Q And were you referring to the June 1996 license
17 that was part of the Net Wave petition?

18 A Yes, sir. At that point I didn't understand when
19 those license were issued, but I was talking about what the
20 Net Wave petition said.

21 Q Okay. So the opposition doesn't take the position
22 that your name wasn't used, but your November 29th letter
23 does take that position; is that correct?

24 MR. MCVEIGH: Objection; vague.

25 JUDGE STEINBERG: Just read the document and see

1 that's what it says.

2 MR. PEDIGO: No, but I'm going somewhere with
3 this, Your Honor.

4 BY MR. PEDIGO:

5 Q Now, if you will look at --

6 JUDGE STEINBERG: The objection is overruled
7 because we are going somewhere.

8 BY MR. PEDIGO:

9 Q Will you now look at Exhibit 40, please?

10 A Humm? Forty?

11 Q Exhibit 40.

12 A Yes, sir.

13 Q Okay. Do you see that?

14 A Yes, sir.

15 Q And your previous testimony was at this stage,
16 several weeks later, it was your position that maybe you had
17 signed that application.

18 A I didn't say I signed it. I said my
19 application -- it was obvious I had an application because I
20 had a license.

21 Q Your testimony earlier today, I believe, was that
22 you -- at this date you believed you may have signed that
23 application that resulted in the license.

24 Do you remember that testimony?

25 MR. MCVEIGH: Objection; misstates former

1 testimony.

2 JUDGE STEINBERG: Well, why don't you ask because
3 I don't remember the testimony, so I don't know if it
4 misstates it or not. I apologize.

5 BY MR. PEDIGO:

6 Q Remember discussing this earlier today?

7 MR. MCVEIGH: Objection; vague.

8 JUDGE STEINBERG: Well, you have to give Mr.
9 Pedigo a little bit of leeway, and I think that in order to
10 get Mr. Sumpter out of here we're going to have to say,
11 "Well, you discussed this." I think Mr. Sumpter knows what
12 this is. I know what this is. Mr. Knowles-Kellett knows
13 what this is, and Mr. Romney knows what this is, and you
14 probably know what this is. If the witness doesn't, you
15 just tell me you don't know what this is. I mean, if we
16 keep this up, we're going to be here till -- all night,
17 longer than we want to be here now.

18 And I'll instruct the witness. If you need a
19 clarification, if something is vague, if you don't
20 understand something, then you tell Mr. Pedigo.

21 Now, you still have a right to object. I'm not
22 going to take away your right to object, but I just suggest
23 that you use a little more discretion.

24 //

25 BY MR. PEDIGO:

1 Q Mr. Sumpter, we will return to my question on
2 this. So is it your position that at the time you authored
3 this December 20th letter you were of the state of mind that
4 perhaps you had signed the application that resulted in the
5 license that was discussed in the Net Wave petition?

6 A I'll tell you this.

7 Q Excuse me. Can you answer that question?

8 A I would answer it like this. There was a time
9 that Ronald had me convinced I had signed an application.

10 Q And your state of mind when you did the December
11 20th letter was that you had signed that application?

12 A Could be.

13 Q And then since that time you've now gone back to
14 the November 29th letter where you don't believe you've
15 signed it?

16 A I know I didn't sign it. You can look at it and
17 tell I didn't sign it.

18 JUDGE STEINBERG: What did Ron tell you or what
19 was the exchange between you and Ron where he apparently
20 convinced you that you had signed the '96 application?

21 THE WITNESS: He kept saying over and over and
22 over, "You signed it, you signed it, you signed it, you
23 signed it." And that was --

24 JUDGE STEINBERG: Did he tell you there were any
25 witnesses to your signing it?

1 THE WITNESS: Oh, he claims that my wife and -- I
2 believe, that my wife saw me sign it, and he and Pat saw me
3 sign it. I believe that's what he told me. I believe
4 that's what he said. But that's not true.

5 JUDGE STEINBERG: Okay, and you've had time to
6 think about it?

7 THE WITNESS: I've looked at the application.
8 It's not my signature.

9 BY MR. PEDIGO:

10 Q Now, let me skip to Exhibit 70 that you -- your
11 Day-Timer. Do you recall that?

12 A Yes, sir.

13 Q Okay. There is nothing I see in here, and please
14 correct me if this is wrong, that shows that anybody but you
15 was in Junction; is that true?

16 A It's not true. My wife was in Junction.

17 Q I'm sorry. Did you hear my question?

18 JUDGE STEINBERG: It was a trick question.

19 THE WITNESS: Okay.

20 BY MR. PEDIGO:

21 Q Is there anything in here that says that
22 individual, that identifies any individual that was in
23 Junction?

24 A Yes, sir. In my mind and knowledge of this
25 situation, it identifies to me that we went to Junction.

1 Q Okay. Is there any information in what has popped
2 up today over the weekend that ties this Junction trip to
3 any specific individuals?

4 A Norma and I.

5 Q Okay. Where does it say "Norma" on here? I guess
6 I missed that.

7 A Well, it does say "Jim" either, does it?

8 Q Well, that's my point to you. Doesn't it say --
9 you used your credit card here? Who else got to use your
10 American Express card?

11 A Norma.

12 Q Okay. So is it in her name as well?

13 A No, it's not in her name.

14 Q So it doesn't say "Jim" or "Norma", does it?

15 A It says "Jim" on the credit card if that's what
16 you're asking.

17 Q But it doesn't say "Norma" anywhere on here, does
18 it?

19 A I don't see her name on it.

20 Q Okay. So all we have on that is your assertion
21 that that's always the way it happened, that she went with
22 you?

23 A No, sir, you have -- you have the truth. She went
24 with me.

25 Q Okay, thank you.

1 How early in the 1980s do you recall these first
2 applications?

3 A I think it was late eighties.

4 Q How early in the eighties? Pick a year. What's
5 the best year you can recall?

6 A Late eighties.

7 Q Okay. That's a plural, so as early as '88?

8 A I don't know.

9 Q Well, it's your testimony. You do know.

10 A I don't know.

11 MR. MCVEIGH: Objection. He's badgering the
12 witness.

13 MR. PEDIGO: Okay.

14 JUDGE STEINBERG: I think we'll dispense with the
15 arguing.

16 MR. PEDIGO: All right, Your Honor. I apologize.

17 BY MR. PEDIGO:

18 Q All right, it could have been '88 or '89; is that
19 correct?

20 A It could be.

21 MR. MCVEIGH: Asked and answered.

22 BY MR. PEDIGO:

23 Q You answer is?

24 A It could be. Late eighties.

25 Q And this is the application you recall Melissa

1 signing; is that correct?

2 A I don't understand which application you are
3 talking about, sir.

4 Q Well, the ones in the late eighties, early
5 nineties seems to be the phrase that's in all your letters.

6 A Yes, sir.

7 Q Okay. I'm talking about that application process.

8 A The one she recalls signing.

9 Q She recalls signing that?

10 A Yes, sir.

11 Q Well, when you gave her the letter to sign, that
12 was -- you remember drafting that letter for her to sign in
13 November 29, 1997, correct?

14 A Which exhibit?

15 Q Oh, you need that exhibit number? I'm sorry.

16 MR. MCVEIGH: Put it in front of him.

17 MR. PEDIGO: Fifty-three.

18 THE WITNESS: Yes, sir.

19 MR. PEDIGO: Okay.

20 BY MR. PEDIGO:

21 Q Now, that's dated November 29th, and you recall
22 that being at or near the time Melissa came home from
23 college for Thanksgiving break?

24 A Yes, sir. I don't know when she came home from
25 college.

1 Q Okay.

2 A It was close in there.

3 Q Okay. Now by this time you had already received
4 the opposition to the Net Wave and not taken any action,
5 that's true?

6 A I had taken a lot action. I called Ronald
7 constantly about it. Well, I called him. I don't want to
8 get into "constant" and "random".

9 Q Okay. Well, without getting to that point again,
10 you testified, I believe, earlier that one of the reasons
11 you didn't -- you weren't more active is you didn't think
12 you could change anything; is that correct?

13 A Absolutely.

14 Q Okay. Well, but subsequent to that time you have
15 gotten Mr. Mr. McVeigh to be your representative?

16 A I certainly have.

17 Q Okay. I mean, that's fine. I'm just telling you
18 that when you sensed it was in your legal interest to take a
19 different position you don't mind doing that.

20 MR. MCVEIGH: Objection. He's mischaracterizing
21 former testimony.

22 JUDGE STEINBERG: Why don't you rephrase that?

23 BY MR. PEDIGO:

24 Q You knew you had the unfettered discretion to have
25 whatever lawyer you wanted respond to the FCC or that Net

1 Wave decision, didn't you?

2 A But a big event happened that caused me to get
3 counsel. Do you want to know about it?

4 Q You can handle that on Mr. Kellett's time.

5 A Okay.

6 Q You knew you could change counsel, though. That's
7 all I want to make sure I --

8 MR. MCVEIGH: Objection; lacks foundation that he
9 had counsel previously.

10 JUDGE STEINBERG: Sustained.

11 BY MR. PEDIGO:

12 Q Did Ron ever tell you you couldn't get your own
13 lawyer?

14 A No.

15 Q Now, the opposition that was going to go the FCC,
16 that took place prior to you drafting Melissa's letter dated
17 November 29th; is that correct?

18 MR. MCVEIGH: Get the document in front of him.
19 Which exhibit?

20 MR. PEDIGO: Exhibit 53.

21 THE WITNESS: Are you saying did the -- it said in
22 the opposition they will send it to their lawyers on the
23 25th.

24 MR. PEDIGO: That's correct.

25 THE WITNESS: Then they were going to file it.

1 MR. PEDIGO: Right.

2 THE WITNESS: And this is dated the 29th.

3 MR. PEDIGO: That's correct.

4 THE WITNESS: So that happened before.

5 MR. PEDIGO: Right.

6 BY MR. PEDIGO:

7 Q My question is what conversations did you have
8 with Melissa, Jennifer or Norma about the response or that
9 opposition?

10 A My conversation was that Ronald said he would take
11 care of this thing.

12 Q Okay. You didn't feel the need to talk to Melissa
13 about the details of what the response would be because you
14 were comfortable that it was being handled; isn't that true?

15 A I was in hopes that it was going to be handled.
16 Our names were going to be taken out.

17 Q When you drafted this letter for Melissa to sign,
18 she didn't change it, did she?

19 A I doubt it.

20 Q Well, do you know?

21 A I'm sure she didn't.

22 Q Okay. In fact, there wasn't any mystery on that,
23 was there?

24 A What's a mystery mean.

25 Q You knew when you gave her this letter she was

1 going to sign it?

2 A I assumed -- yes, sir. She takes my advice on
3 things.

4 Q And you knew she wasn't going to change it either?

5 MR. MCVEIGH: Objection; calling on the witness to
6 speculate.

7 JUDGE STEINBERG: Overruled.

8 THE WITNESS: I didn't expect her to change it.

9 BY MR. PEDIGO:

10 Q What exactly did you discuss with her about, for
11 example, paragraph one of this letter?

12 A I told her that her name was on this Net Wave
13 petition, I'm sorry, and that -- that she -- I knew that she
14 had signed an application several years ago, and that I
15 thought we should document our position with them, that this
16 appeared to be deceptive and we wanted out of it. I had
17 written this letter for her, and she signed it.

18 JUDGE STEINBERG: Who is "them"?

19 THE WITNESS: The Brashers.

20 JUDGE STEINBERG: Okay. Go off the record a
21 minute.

22 (Discussion off the record.)

23 JUDGE STEINBERG: On the record.

24 //

25 BY MR. PEDIGO:

1 Q Mr. Sumpter, in your dealings with Ron Brasher or
2 DLB Enterprises, you had the opinion that he is qualified
3 and knowledgeable about the radio business; is that correct?

4 MR. MCVEIGH: Objection; lack of foundation.

5 JUDGE STEINBERG: He is asking for his opinion.

6 MR. MCVEIGH: There is no foundation Mr. Sumpter
7 knows anything about running the radio business. In fact, I
8 believe he testified to the effect that he doesn't know
9 anything about. Mr. Pedigo was asking him whether he thinks
10 that DLB and company are qualified to run a radio business.

11 JUDGE STEINBERG: Fair. Sustained.

12 BY MR. PEDIGO:

13 Q Well, in all your dealings had there ever been a
14 complaint to you about let's say a penalty paid to the FCC
15 for noncompliance with anything?

16 A I never saw one.

17 Q Okay. And so it was, as far as you knew,
18 compliance with the FCC was something that DLB understood
19 how to do?

20 MR. MCVEIGH: Objection; lack of foundation.

21 JUDGE STEINBERG: Did you have any reason to
22 believe that they weren't --

23 THE WITNESS: I never saw--

24 JUDGE STEINBERG: -- you know, that they weren't
25 running their business fairly and honestly?

1 THE WITNESS: No, sir.

2 BY MR. PEDIGO:

3 Q In fact that --

4 JUDGE STEINBERG: Or in violation of anything you
5 knew about?

6 THE WITNESS: No, sir, or I would have signed a
7 tax return.

8 BY MR. PEDIGO:

9 Q I'm sorry?

10 A Or I wouldn't have signed the tax return.

11 Q Okay. So your appreciation for their FCC
12 compliance did play some role in your professional judgment,
13 for example, signing tax returns?

14 MR. MCVEIGH: I don't understand that.

15 JUDGE STEINBERG: Sustained.

16 You don't know what it takes to comply with FCC
17 rules and regulations?

18 THE WITNESS: No, sir, I do not.

19 JUDGE STEINBERG: So you have a basis -- in your
20 own mind do you have a basis for having any opinion as to
21 whether they were -- they being DLB or Ron Brasher -- was
22 doing -- were running their business in compliance with FCC
23 radio license?

24 THE WITNESS: The only basis I would have had
25 would be did I see some penalties that he had to pay, and I

1 didn't see those.

2 BY MR. PEDIGO:

3 Q Well, I mean, the late eighties, early nineties,
4 you were comfortable with your three family members putting
5 in applications for license that would be used in connected
6 with DLB Enterprises; is that correct?

7 A I was comfortable because we were told this was a
8 short-term situation. File the application, we get the
9 license, and we'll immediately transfer it.

10 Q And you relied on Ron Brasher's description of FCC
11 procedures in that case, didn't you, sir?

12 A Yes.

13 Q It's your testimony that -- well, I want to make
14 sure I understand. What is your testimony regarding
15 receiving mail from the FCC?

16 A All right, sir. Because of the license or the
17 applications that were filed in the late eighties, early
18 nineties, whenever, mail would come to use from FCC and
19 other people, and I would say that even today, even within
20 the last month we've gotten mail because of these license.

21 Q Which license?

22 A These things that you're talking about, these '96
23 license. I mean there is people that have -- there is a
24 mailing list. People send you out all this mail. If you've
25 never had a license, you don't know.

1 When all this came in the instruction was for
2 Norma to gather this up, put in an envelope, send it to
3 Ronald. We didn't understand any of it. We didn't open it.
4 We didn't know what it is. Send it to Ronald.

5 Q Right.

6 JUDGE STEINBERG: You said "instructions." Could
7 you be more specific about that?

8 THE WITNESS: I'm sorry?

9 JUDGE STEINBERG: I believe you said that you had
10 instructions to package the stuff up and -- Norma to package
11 it?

12 THE WITNESS: I told Norma to -- gave Norma
13 instructions just to package it up and send it on to Ron.

14 JUDGE STEINBERG: Okay. So you instructed Norma
15 to do this?

16 THE WITNESS: Yes, sir.

17 JUDGE STEINBERG: It wasn't Ronald that told you?

18 THE WITNESS: No.

19 JUDGE STEINBERG: Or anybody else from DLB?

20 THE WITNESS: No, sir. That came -- he's talking
21 about what came to my office the way I assume his question.

22 JUDGE STEINBERG: Correct.

23 BY MR. PEDIGO:

24 Q Well, what came to your office plus whatever FCC
25 mailings would have gone to your house.

1 A Yes, sir, either way. Either way, house or
2 office.

3 Q Okay. Did you ever discuss with Jennifer how she
4 should handle FCC mailings?

5 A No, sir. It was family practice to send it to
6 Ronald because we continued to get these things, and you
7 know like I said, last week I got something from somebody.

8 Q All right.

9 A Now I open them and read them though; guarantee
10 you that.

11 Q And that relates to the 1996 applications,
12 correct?

13 A Yes, sir.

14 Q Okay.

15 A Companies send us something on a mailing list.

16 Q And isn't it true that your recollection beginning
17 in June 1996 is when you recall this mail starting to come
18 in?

19 A No, mail came in for years. After those initial
20 applications were made in late eighties, early nineties,
21 mail came in. It's just after what, November of '97, I
22 began to open and read the things.

23 Q Well, you can understand then if the mail went to
24 you why Ron and Pat would think you knew that you had a
25 license. You can understand that, can't you?

1 MR. MCVEIGH: Objection; calling on the witness to
2 speculate.

3 JUDGE STEINBERG: Well, I sustain that because it
4 depends on the form in which the correspondence was
5 forwarded to the Brasher, be it opened or unopened, and the
6 nature of the mail that he's described that came after the
7 late eighties, early nineties applications were filed.

8 Was it a lot of junk mail from vendors? Do you
9 know?

10 THE WITNESS: You get junk mail. You get all --
11 all the junk mail vendors make it look like it's official so
12 you can't really tell the difference.

13 JUDGE STEINBERG: And what was your practice?

14 THE WITNESS: Send it to Brasher.

15 JUDGE STEINBERG: Opened to Ronald?

16 THE WITNESS: Unopened, unopened.

17 JUDGE STEINBERG: Okay.

18 BY MR. PEDIGO:

19 Q Now, you answered some questions earlier regarding
20 your frame of mind when you first read the Net Wave
21 petition, in particular, the repercussions you fear might
22 happen to your CPA license.

23 Do you remember talking about that?

24 A Yes, sir.

25 Q And isn't it true that you have now even submitted

1 affidavits in this proceeding that you've sworn to under
2 oath about what you're telling this Court happened,
3 especially with regard to the June 1996 applications?

4 You understand the significance of submitting
5 those sworn statements; is that correct?

6 A Yes, sir.

7 Q And so do you appreciate as you sit here and
8 testify today that if you were to tell -- change your
9 testimony and say that, yes, you did sign those
10 applications, that the ramifications that concerns you in
11 November 1997 still apply today; is that correct?

12 MR. MCVEIGH: Objection; false predicate.

13 JUDGE STEINBERG: Overruled. Do you understand
14 the question?

15 THE WITNESS: No, sir.

16 BY MR. PEDIGO:

17 Q The concerns that you had in November 1997, are
18 you with me?

19 A Yes, sir.

20 Q Okay. Do you understand that if you changed your
21 testimony and revealed that in fact you knew about
22 signatures on those June applications either for you, or
23 your daughter, or your wife, that there would be
24 repercussions to you? Do you understand that?

25 A But -- I guess. But why would I change? It's the

1 truth.

2 JUDGE STEINBERG: Well, why would you change?

3 Let's say all of a sudden -- is the right word epiphany

4 MR. MCVEIGH: Yes.

5 JUDGE STEINBERG: Okay. Because I'm not good on
6 vocabulary. Let's say you had an epiphany. Am I using it
7 in the right context?

8 MR. MCVEIGH: Yes.

9 JUDGE STEINBERG: You had an epiphany, and all of
10 a sudden you say, "Gee, you know, all this -- all this has
11 reminded me that, you know, I think I did sign this thing,
12 or I think Norma did sign this," do you feel, because your
13 others -- your previous statements were done in an affidavit
14 or a declaration form, and your testimony here is sworn to,
15 would you hide that fact?

16 THE WITNESS: I would not.

17 JUDGE STEINBERG: Objection is speculation, so I
18 won't ask the next question.

19 I mean, is that the nature of --

20 MR. PEDIGO: Among others, yes, Your Honor.

21 JUDGE STEINBERG: Yes.

22 MR. PEDIGO: I know.

23 JUDGE STEINBERG: Yes, go ahead.

24 BY MR. PEDIGO:

25 Q So you -- you had gone out of your way to tell me

1 several times today you're just trying to talk about the
2 truth; is that correct?

3 A Yes, sir.

4 Q Okay. My question to you is truth according to
5 who?

6 Do you understand what I'm asking you?

7 A Does that call me a liar?

8 Q No, I am not.

9 MR. MCVEIGH: Objection. He's badgering the
10 witness.

11 MR. PEDIGO: Your Honor, he's gone out of his way
12 to bolster himself with that.

13 MS. LANCASTER: No, he's --

14 MR. MCVEIGH: Your Honor, he's badgering.

15 JUDGE STEINBERG: Ask another question. I mean, I
16 don't think that this is really getting anywhere.

17 BY MR. PEDIGO:

18 Q You understand that if we disagree with the
19 veracity of your testimony, there is nobody representing the
20 Brashers can do anything about it, whereas there are lawyers
21 associated with the government that could cause some action
22 to happen.

23 Do you understand that you could --

24 MR. MCVEIGH: Objection; lacks foundation.

25 JUDGE STEINBERG: Try again.